Supreme Court, U.S.
FILED
FEB - 4 2011
OFFICE OF THE CLERK

No. 10-632

In The
Supreme Court of the United States

WILLIAM M. WINDSOR,
Petitioner

v.

UNITED STATES OF AMERICA, JUDGE ORINDA D. EVANS, HAWKINS & PARNELL, LLP, CARL HUGO ANDERSON, PHILLIPS LYTLE, LLP, CHRISTOPHER M. GLYNN, TIMOTHY P. RUDDY, ROBERT J. SCHUL, JUDITH L. BERRY, MAID OF THE MIST CORPORATION, MAID OF THE MIST STEAMBOAT COMPANY, LTD., SANDRA CARLSON, MARC W. BROWN, ARTHUR RUSS. AND DOES 1 TO 100,
Respondents

On Petition for Writ of Mandamus
To The United States Court of Appeals for The Eleventh Circuit

PETITION FOR REHEARING

William M. Windsor
Pro Se
PO Box 681236
Marietta, GA 30068
770-578-1094

Petitioner William M. Windsor ("Windsor" or "Petitioner") hereby files this Petition for Rehearing pursuant to Supreme Court Rule 44.

FACTUAL BACKGROUND

1. From March 2006 to the present, federal judges have acted in a corrupt manner and have committed a variety of felonies to damage Windsor.

2. On October 15, 2010, the Petition for Writ of Mandamus was filed with this Court.

3. A Motion to Compel Production was submitted to the Clerk for filing. It was never filed or considered.

4. On January 18, 2011, the Supreme Court Docket online indicates that the Petition for Writ of Mandamus was denied. Windsor received an alleged "order" that is nothing but a letter.

ARGUMENTS AND AUTHORITY

5. Windsor seeks to have this Court rehear this Petition for substantial grounds not previously presented.

THE JUSTICES OF THE UNITED STATES SUPREME COURT HAVE VIOLATED THEIR OATHS OF OFFICE IN DENYING THIS PETITION.

6. The justices of The United States Supreme Court have violated their oaths of office in denying this Petition.

7. The Supreme Court web site provides the oaths of office that are required: http://www.supremecourt.gov/about/oath/textoftheoathsofoffice2009.aspx.

8. 5 U.S.C.§3331 provides the oath that is now taken by all federal employees, including members of the Supreme Court:

> "I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

9. The Judicial Oath, found at 28 U.S.C.§453, is also taken by each justice of the Supreme Court:

> "I, _____, do solemnly swear (or affirm) that I will administer justice without respect to persons, and do equal right to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as _____ under the

Constitution and laws of the United States. So help me God."

10. The questions presented to this Court in this Petition for Writ of Certiorari were:

> "There is no legal or factual basis whatsoever for the decisions of the lower courts in this matter. These rulings were issued for corrupt reasons. Many of the judges in the Northern District of Georgia and the Eleventh Circuit are corrupt and violate laws and rules, as they have done in this case. Then Supreme Court must recognize this Petition as one of the most serious matters ever presented to this Court.
>
> "The key questions are:
>
> 1. Whether federal courts must be stopped from operating corruptly and ignoring all laws, rules, and facts.
>
> 2. Whether the Supreme Court is prepared to declare the Constitution and its amendments null and void."

11. The information presented to this Court included the following:

> "The citizens of the United States expect and deserve a fair trial. They expect and deserve honesty and fairness from judges. They believe courts issue carefully-considered opinions that explain why their decisions are justified. Citizens do not expect that one

party can lie continually in court and get away with it. Citizens do not expect that judges may violate the rules and criminal statutes as part of a scheme to cheat a litigant. This is precisely what is happening in this case.

"The Constitution allegedly guarantees citizens a fair and impartial judge. The Eleventh Circuit and the Northern District of Georgia have not protected this guarantee. (***Liteky v U.S.***, 510 US 540 (1994). They have completely and totally disregarded this guarantee.

"Currently, no citizen can feel that there is anything but corruption in the federal courts in Atlanta, Georgia. The Supreme Court is the only hope to rectify this as all government officials have ignored the issue.

"There is NOTHING whatsoever right with any of the decisions of the district courts and the Eleventh Circuit in this and related matters. The facts are that Windsor has always been totally in the right. The law provides that Windsor should have always prevailed on every meaningful issue. These judges have knowingly violated the law and the rules to protect Judge Orinda D. Evans from criminal prosecution and impeachment. There is nothing legally, ethically, or morally right about what these judges have done.

"For all the above reasons, the Petitioner now respectfully prays that this Court grant a Writ

for Certiorari to review the judgment and opinions of the Eleventh Circuit.

"This Court should ask the House and Senate Judiciary Committees to investigate the federal judiciary in Atlanta.

"This Court should remand this matter to a different circuit where Windsor's Constitutional rights might be honored."

12. This Court was therefore well aware of criminal charges of felonies against this federal judge in Atlanta and serious violations of Constitutional rights. And the justices of The Supreme Court ignored it.

13. Windsor's Petition was unopposed, so Windsor's claims were uncontroverted. But the justices of The Supreme Court ignored it.

14. The oaths of office taken require each justice to "defend the Constitution of the United States against all enemies, foreign and domestic" and "bear true faith and allegiance to the same...." The justices of The Supreme Court have failed to defend the Constitution against a domestic enemy – the federal judges in Atlanta, Georgia. By refusing to address this Petition, the justices of The Supreme Court have allowed federal courts to operate corruptly and ignore all laws, rules, and facts. The justices of The Supreme Court are allowing federal judges to treat the Constitution and the Bill of Rights as if they are null and void. The justices of The Supreme Court have failed to defend the

Constitution.

15. This error must be corrected by having this Court rehear the Petition. This Court has no choice but to defend the Constitution by granting the Petition.

THE CLERK OF THE UNITED STATES SUPREME COURT HAS VIOLATED THE LAW, THE RULES, AND WINDSOR'S CONSTITUTIONAL RIGHTS BY FAILING TO FILE PROPERLY PRESENTED MOTIONS.

16. Windsor submitted a proper motion to the Clerk that will provide documentary proof of the fraud and illegal acts of the judges, but the Clerk did not file the motion, did not indicate to Windsor that there was any problem with the motion, and the motion was not properly considered.

THE ORDER DENYING THIS PETITION VIOLATES 28 U.S.C.§1691. IT DOES NOT CONTAIN THE SEAL OF THE COURT OR THE SIGNATURE OF A CLERK WITH THE NECESSARY CREDENTIALS.

17. The so-called order denying this Petition is a letter, not an order, and it does not bear the seal of the clerk.

18. 28 U.S.C.§1691 requires: "All writs and process issuing from a court of the United States shall be under the seal of the court and signed by the clerk thereof." The Order is invalid, so the Petition must be reheard.

19. The word "process" at 28 U.S.C. 1691 means a court order. See ***Middleton Paper Co. v. Rock River Paper Co.,*** 19 F. 252 (C.C. W.D. Wisconsin 1884); ***Taylor v. U.S.***, 45 F. 531 (C.C. E.D. Tennessee 1891); ***U.S. v. Murphy***, 82 F. 893 (**DCUS** Delaware 1897); ***Leas & McVitty v. Merriman***, 132 F. 510 (C.C. W.D. Virginia 1904); ***U.S. v. Sharrock***, 276 F. 30 (**DCUS** Montana 1921); **In re Simon**, 297 F. 942, 34 ALR 1404 (2nd Cir. 1924); ***Scanbe Mfg. Co. v. Tryon***, 400 F.2d 598 (9th Cir. 1968); and ***Miles v. Gussin***, 104 B.R. 553 (Bankruptcy D.C. 1989).

THIS COURT DID NOT HAVE A QUORUM TO VOTE ON WINDSOR'S PETITION AS DOCUMENTATION REQUIRED TO BE MAINTAINED BY THIS COURT IS INCOMPLETE.

20. Upon information and belief, the documentation required for justices is not complete.

21. Upon information and belief, required credentials documentation is not filed as required for justices Roberts, Thomas, Ginsburg, Breyer, and Alito. It is also possible that credentials are missing for recently appointed judges.

22. 5 U.S.C.§2906 reads as follows:

> The oath of office taken by an individual under section 3331 of this title shall be delivered by him to, and preserved by, the House of Congress, agency, or court to which the office pertains.

23. If the Supreme Court does not have the necessary credentials on file, these justices do not have the right to rule on any matters. If there was not a quorum, the "order" denying the Petition is invalid. Windsor demands to see the credentials that were on file.

24. Upon information and belief, the required credentials are missing for William K. Suter dba "Clerk of Court."

25. If this is correct, any "orders" signed by Mr. Suter is invalid as he did not have the legal credentials filed that are required.

THIS COURT VIOLATED ARTICLE III SECTION 2 OF THE CONSTITUTION OF THE UNITED STATES.

26. Article III Section 2 of the Constitution provides: "The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority...."

27. This Court's judicial power is dependent upon the Constitution, yet this Court ignored the Constitution in denying Windsor's Petition.

28. Windsor submits that this Court has no authority or right to ignore claims of the violation of Constitutional rights that are presented to this Court. The Constitution makes it very clear that it and only it provides judicial power. Therefore, any court that knowingly allows violations of the Constitution has no power and is functioning without jurisdiction.

29. This Court must grant the petition and declare that Windsor's Constitutional rights have been violated. Failure to do so must be considered a violation of the Constitution by the justices of this Court.

THIS COURT IGNORED THE CONSTITUTIONAL CRISIS THAT EXISTS IN THE UNITED STATES.

30. Federal judges have turned the United States into a police state in which they wield tyrannical power, intentionally violating the Constitution, laws, rules, and their oath.

31. The most basic so-called "guarantees" of the Constitution have been stolen from us by corrupt federal judges. We might as well be living in a Communist country where we have been shocked to hear of the violation of the rights of the citizens. It has become just as bad in the United States when this is allowed to happen and no one will do anything about

it.

32. The Supreme Court is the only hope for anyone to do anything about this, and it is The Supreme Court's primary legal obligation to ensure that the Constitution is not being violated by federal judges.

THIS COURT VIOLATED ITS OWN LAW BY FAILING TO PROVIDE AN EXPLANATION OF ANY SORT IN THE ORDER DENYING THE PETITION.

33. In 2009, this Court issued an order requiring federal courts to issue orders with an explanation.

> "...courts err in disposing of claims without explanation of any sort." (***Corcoran v. Levenhagen***, 558 U.S. ___ (2009), (08-10495).)

34. This Court violated its own law by issuing a one-word decision.

35. This Court has an obligation to the citizens of the United States.

THE JUSTICES OF THIS COURT AND ALL WHO READ THE PETITION HAVE A LEGAL OBLIGATION UNDER 18 U.S.C.§4 TO REPORT FELONIES.

36. 18 U.S.C.§4 states that:

> "Whoever, having knowledge of the actual

commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both."

37. Windsor has provided proof of felonies to this Court. Therefore, each of the justices of The Supreme Court has a legal obligation to report these crimes to law enforcement authorities. Each of the clerks and the approximately 40 people who were supposed to read the Petition also have the same legal obligation. This Court must do as Windsor asked and refer this matter to a Grand Jury in Atlanta, Georgia.

38. Windsor asks the 40 people receiving this Petition for Rehearing to report these crimes. If this is not done, Windsor intends to file charges against each of the justices and the 40 recipients for violation of 18 U.S.C.§4, and a verified complaint pursuant to Bivens, RICO, and more.

39. Judge Orinda D. Evans has committed the following crimes:

RICO; Theft by Deception -- O.C.G.A. 16-8-3; False Statements to State – Violation of O.C.G.A. 16-10-20; Tampering with Evidence – O.C.G.A. 16-10-94; Mail Fraud – Violation of 18 U.S.C. § 1341; False Swearing – Making False Statements – Violation of

18 U.S.C. § 1001; Perjury – Violation of 18 U.S.C. § 1621, 18 U.S.C. § 1623, AND O.C.G.A. 16-10-70; Conspiracy to Defraud United States -- 18 U.S.C. § 371; Obstruction of Justice and Witness Tampering -- 18 U.S.C. § 1503; Subornation of Perjury – Violation of 18 USC § 1622, O.C.G.A. 16-10-72, and O.C.G.A. 16-10-93; Witness Tampering – Violation of O.C.G.A. 16-10-93.

40. Judge William S. Duffey, Jr. has committed the following crimes: RICO; Tampering with Evidence – O.C.G.A. 16-10-94; Mail Fraud – Violation of 18 U.S.C. § 1341; False Swearing – Making False Statements – Violation of 18 U.S.C. § 1001; Perjury – Violation of 18 U.S.C. § 1621, 18 U.S.C. § 1623, AND O.C.G.A. 16-10-70; Conspiracy to Defraud United States -- 18 U.S.C. § 371; Obstruction of Justice and Witness Tampering -- 18 U.S.C. § 1503; Subornation of Perjury – Violation of 18 USC § 1622, O.C.G.A. 16-10-72, and O.C.G.A. 16-10-93; Witness Tampering – Violation of O.C.G.A. 16-10-93.

41. Judges of the Eleventh Circuit have committed the following crimes:

RICO; Theft by Deception -- O.C.G.A. 16-8-3; Mail Fraud – Violation of 18 U.S.C. § 1341; False Swearing – Making False Statements – Violation of 18 U.S.C. § 1001; Perjury – Violation of 18 U.S.C. § 1621, 18 U.S.C. § 1623, AND O.C.G.A. 16-10-70; Conspiracy to Defraud United States -- 18 U.S.C. § 371; Obstruction of Justice -- 18 U.S.C. § 1503;

Subornation of Perjury – Violation of 18 USC § 1622, O.C.G.A. 16-10-72, and O.C.G.A. 16-10-93.

42. Proof of these crimes is detailed in the Dockets in Civil Action 1:06-CV-0714-ODE, 1:09-CV-01543-WSD, and 1:09-CV-02027-WSD, and in Supreme Court Actions Nos. 10-411, 10-632, 10-633, and 10-690.

THIS COURT HAS AN OBLIGATION TO START CLEANING UP AMERICA

43. If this Court is not aware that our judicial system is corrupt, shame on you. If this Court is aware that our judicial system is corrupt and has done nothing about it, shame on you.

44. Atlanta's federal courts are filled with corruption. Windsor presents the following arguments in first person:

45. I always knew there were problems with our legal system, but I thought it was just unscrupulous lawyers. I never dreamed that federal judges were corrupt and routinely commit crimes, but they do.

46. I have charged nine federal judges in Atlanta with corruption and dishonesty, and I now need to add to that list. From my personal experience, these judges ignore the law, ignore the facts, and commit criminal acts while hiding behind their judicial robes and the "judicial immunity" that the judges have given themselves over the years. These judges don't

make mistakes; they do all of this intentionally.

47. I hope this is limited to Atlanta, but I fear that it is widespread in the federal judiciary in America. From my experiences here, the federal judges do whatever the heck they want to do. I do not have any proof that judges have been bribed, but the thought comes to mind. With Atlanta federal District Court Judge Orinda D. Evans, I have learned that she is evil. She has a reputation that she will twist the law and the facts to decide however she wants to decide. I have seen the darkest of her sides. She is truly an evil woman.

48. In the history of the United States, only nine federal judges have been impeached. Atlanta could top that in one fell swoop.

49. Judges are supposed to tell the truth at all times, but these judges have made false statements routinely. These were material false statements made under the judges' oath of office in a federal proceeding. These judges knew statements that they made were false.

50. Judges are supposed to provide due process to the parties in their courts, but I have had just about every form of due process denied. I have not been allowed to present evidence, call witnesses, cross examine witnesses, have an impartial judge, and much more. The latest outrage is that Judge Evans and Judge Duffey have intercepted lawsuits

that I filed against them. They got the Clerk of the Court to refuse to enter them on the docket, and then a month later, Judge Evans issued an injunction against me that stops me from filing any lawsuits. The injunction was issued without notice or the opportunity to be heard.

51. These judges routinely ignored the facts and the law and even invented their own facts. These judges have made rulings that are absolutely contrary to the law.

52. I have three grandchildren - Madison, Mackenzie, and Katherine. I drive Madison's carpool once a week. She is unbelievably intelligent and worldly for a seven-year-old. As we drove home one day, she told me they were studying Martin Luther King. She asked me to tell her about those times, so I did. She asked me what I did to stop the prejudice and all the problems. I told her that I was never prejudiced, but I didn't really do anything. She asked if I had ever done anything that made a big difference in the world. I said, no, unfortunately not. She quickly assured me that she would make a difference in the world. I absolutely believe that is true. Well, I hope I can do something vitally important to every American with my efforts to expose corruption in the federal courts. We are all in trouble. Madison and I want to help.

53. I want to assure each of the justices of The United States Supreme Court that if you deny my Petition again, I will expose you to the world. I will seek your impeachment. I will file a civil suit against you. I will file criminal charges against you, and I won't stop for as long as I live.

54. For Heaven's sake, do what is right. End the judicial corruption before it ends America.

WHEREFORE, Windsor requests that the Court order as follows:

(1) grant WILLIAM M. WINDSOR'S PETITION FOR REHEARING;
(2) grant WILLIAM M. WINDSOR'S PETITION FOR WRIT OF MANDAMUS; and
(3) grant such other and further relief as justice requires.

Respectfully submitted, this 4 day of February, 2011.

WILLIAM M. WINDSOR
Pro Se

PO Box 681236, Marietta, GA 30068
Phone: 770-578-1094, Fax: 770-234-4106
Email: williamwindsor@bellsouth.net